

Docket No.: C2432.0061
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Anna M. Kauppi et al.

Application No.: 10/526,461

Confirmation No.: 3098

Filed: October 27, 2005

Art Unit: 1655

For: METHOD AND PROBE FOR IDENTIFYING
BACTERIAL VIRULENCE MODIFYING
AGENTS, AGENTS THUS IDENTIFIED,
AND THEIR USE

Examiner: B. Shen

RESPONSE TO RESTRICTION REQUIREMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the restriction requirement, Applicant's select Group V (claim 30) with traverse to the extent that it separates Groups III and V.

The Restriction Requirement has been justified on the grounds that Groups III and V do not relate to the single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2 they lack the same or corresponding special technical features. The Office Action does not identify why it is contended that Groups III and V do not contain the special technical feature and it is respectfully submitted that upon reconsideration, the Examiner recognizes that they do contain the special technical

feature. It is made clear in the application on page 9, lines 4-10 and page 10, line 5 that the compounds of claim 31 fall within the scope of the compound set forth in claim 16-19 and 31. Accordingly, a special technical feature is present and these groups should be rejoined.

The Office Action also requires an election of species. In response, from the compounds set forth in claim 30, the compound designated as 28 is selected, again with traverse. It is noted that upon allowance of a generic claim, rejoinder will be permitted.

It is respectfully requested that formal acknowledgment of the priority document and IDS citations be acknowledged in the next communication from the PTO.

Dated: September 28, 2006

Respectfully submitted,

By Edward A. Meilman
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